



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/561,156

12/16/2005

Bjorn Norhammar

9563-10

9132

20792 7590 05/01/2008
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

EXAMINER

LIU, BEN H

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

05/01/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/561,156	Applicant(s) NORHAMMAR ET AL.	
	Examiner BEN H. LIU	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on December 16, 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>December 16, 2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Canova, Jr. et al. (U.S. Patent No. 6,906,741).

For claim 1, Canova, Jr. et al. disclose a method for forming an output media stream to be transmitted during a communication session from a portable communication device, wherein said media stream comprises signals of a first type, comprising the steps of generating in real time a first media stream in the portable communication device (*see column 2 lines 10-20, which recite a handheld computer that communicates video, audio, or other data*), combining in real time the first media stream with a second media stream, for forming the output media stream (*see column 2 lines 10-20, which recite combining at least two of video, audio, or other data*).

For claim 2, Canova, Jr. et al. disclose a method for forming an output media stream wherein said output media stream comprises signals of a second type (*see column 2 lines 21-29, which recite combining audio and video data*).

For claim 3, Canova, Jr. et al. disclose a method for forming an output media stream further comprising the step of transmitting said output media stream (*see column 2 lines 13-16, which recite communicating the combined data*).

For claim 4, Canova, Jr. et al. disclose a method for forming an output media stream further comprising the step of establishing a connection with another device (*see column 2 lines 13-16, which recite communicating the combined data with a second handheld device*).

For claim 5, Canova, Jr. et al. disclose a method for forming an output media stream wherein said connection is a circuit-switched connection (*see column 8 lines 42-51, which recite using circuit switched connections such as DSL*).

For claim 6, Canova, Jr. et al. disclose a method for forming an output media stream in which at least one of the steps is dependent on input data from a user of said portable communication device (*see column 5 lines 22-38, which recite user input to initiate or control communications*).

For claim 7, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of combining comprises combining signals of a first type from the first media stream with signals of a second type from the second media stream (*see column 2 lines 21-29, which recite combining at least two types of data*).

For claim 8, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of combining comprises combining signals of a first type from the first media stream with signals of the first type from the second media stream (*see column 5 lines 43-52, which recite combining video images of a videoconferencing session as well as pre-recorded video*).

For claim 9, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of combining further comprises combining signals of a second type from the first media stream with the signals from the second media stream (*see column 2 lines 21-29, which recite combining at least two types of data*).

For claim 10, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of combining further comprises combining signals from the first media stream with signals of the second type from the second media stream (*see column 2 lines 21-29, which recite combining at least two types of data*).

For claim 11, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of combining further comprises combining signals of the second type from the first media stream with signals from the second media stream (*see column 2 lines 21-29, which recite combining at least two types of data*).

For claim 12, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of combining further comprises the step of: delaying, prior to combining, signals of one type of the second media stream, in relation to the other type of signals of the same stream, for providing synchronized signals from the second media stream within the output media stream (*see column 6 lines 27-28*).

For claim 13, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of combining further comprises independently combining signals of the first type and signals of the second type (*see column 2 lines 21-29, which recite combining at least two types of data*).

For claim 14, Canova, Jr. et al. disclose a method for forming an output media stream that further comprises delaying signals of one type within the output media stream, in relation to the other type of signals of the same stream, for providing synchronized signals from the first media stream within the output media stream (*see column 6 lines 27-28*).

For claim 15, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of combining signals, where the signals of the first type are audio signals, further comprises the step of superposing the signals of said first type (*see column 6 lines 13-15*).

For claim 16, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of superposing comprises weighting properties of the audio signals from the first media stream and the second media stream (*see column 6 lines 1-10, wherein audio can be toggled between different participants*).

For claim 17, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of combining signals, where the signals of the first type are image signals, further comprises the step of blending the signals of the first type.

For claim 18, Canova, Jr. et al. disclose a method for forming an output media stream wherein the step of blending comprises weighting properties of the image signals from the first media stream and the second media stream (*see column 7 lines 7-10, which recite a combination of audio signals*).

For claim 19, Canova, Jr. et al. disclose a method for forming an output media stream wherein weighting properties includes varying the proportion of signals from the first media stream in relation to the proportion of signals from the second media stream (*see column 7 lines 7-10, which recite a combination of audio signals*).

For claim 20, Canova, Jr. et al. disclose a method for forming an output media stream wherein the weighting properties is dependent on input data of a user of said portable communication device (*see column 6 lines 1-3, which recite an user interface icon used to toggle audio signals*).

For claim 21, Canova, Jr. et al. disclose a method for forming an output media stream wherein the varying said proportions comprises varying of each proportion within the range between 0 and 100% (*see column 6 lines 1-3, which recite a user interface icon used to mute audio signals*).

For claim 22, Canova, Jr. et al. disclose a portable communication device for forming an output media stream to be transmitted during a communication session from said portable communication device, wherein said output media stream comprises signals of a first type, said portable communication device comprising at least one generating unit provided for generating a first media stream (*see column 2 lines 10-20, which recite a handheld computer that communicates video, audio, or other data*), a first combining unit, connected to said generating unit, provided for combining in real time the first media stream with a second media stream (*see column 2 lines 10-20, which recite combining at least two of video, audio, or other data*), and a control unit controlling the generating unit and the combining unit, in dependence of user input (*see column 3 lines 23-32, which recite a processor for controlling the various components of the mobile device*).

For claim 23, Canova, Jr. et al. disclose a portable communication device for forming an output media stream to be transmitted during a communication session from said portable communication device, wherein the first combining unit is provided for combining signals of the

Art Unit: 2616

first type of both the first and the second media streams, wherein the output media stream comprises signals of the first type and a second type, wherein the portable device further comprises: a second combining unit, for combining signals of the second type of the first media stream and signals of the second type of the second media stream by using the second combining unit (*see column 5 lines 43-52, which recite combining video images of a videoconferencing session as well as pre-recorded video*).

For claim 24, Canova, Jr. et al. disclose a portable communication device for forming an output media stream further comprising a memory unit for providing storage for the second media stream (*see column 9 lines 11-15*).

For claim 25, Canova, Jr. et al. disclose a portable communication device for forming an output media stream further comprising a user input interface for providing user input (*see column 4 lines 9-11*).

For claim 26, Canova, Jr. et al. disclose a portable communication device for forming an output media stream wherein said device further comprises a multiplexing unit for providing synchronization of signals of one type from the first media stream in relation to signals of the other type from the same first media stream, within the output media stream (*see column 6 lines 27-28*).

For claim 27, Canova, Jr. et al. disclose a portable communication device for forming an output media stream further comprising a delaying unit for providing synchronized signals within the output media stream (*see column 4 lines 9-11*).

For claim 28, Canova, Jr. et al. disclose a portable communication device for forming an output media stream where the delaying unit provides synchronization of signals from the second

media stream, prior to combining with the first stream (*see column 6 lines 31-34, which recite multiple, simultaneous video data from a videoconference*).

For claim 29, Canova, Jr. et al. disclose a portable communication device for forming an output media stream where the delaying unit provides synchronization of signals of one type in relation to signals of the other type from the same second media stream (*see column 6 lines 34-40, which recite providing video as well as relevant visual aids simultaneously*).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*See form PTO-892*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BEN H. LIU whose telephone number is (571)270-3118. The examiner can normally be reached on 9:00AM to 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571)272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

Art Unit: 2616

like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ricky Ngo/
Supervisory Patent Examiner, Art Unit
2616

BL